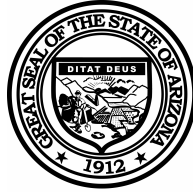


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FOR IMMEDIATE RELEASE

Attorney General's Office Settles Open Meeting Law Complaints With Gila Community College Provisional Board

(Phoenix, Ariz. – Feb. 10, 2006) An investigation by the Attorney General's Office has concluded that the Gila County Community College Provisional Board of Governors violated the state Open Meeting Law several times over the last year when a quorum of the members communicated about Board business via email, failed to timely produce meeting minutes and failed to follow confidentiality provisions governing executive session meetings.

Between December 2004 and May 2005, the Board exchanged emails discussing issues being considered by the Board and reached conclusions on those issues. Additionally, the Board held a working session in December 2004, but didn't make meeting minutes available until June 2005. Finally, Board Chairman Robert Ashford emailed details from two executive session meetings held in February and March 2005 to an administrator at Eastern Arizona College.

"The public has a right to observe the deliberations and communications of its government," Goddard said. "My office continues to work with local governments to ensure they understand the law, and we will investigate and hold accountable any public body to make sure the public's business is done in the open."

In lieu of filing a court action against Board members, the Board and the Attorney General's Office have entered into a consent agreement that contains the following provisions:

- Ashford will pay a \$500 penalty from personal funds to Gila County Community College. This is the maximum fine allowed under Arizona law.
- The Board will review the investigation's findings and recommendations during its next Board meeting, make copies of the report available to the public at the meeting and invite public discussion.
- The Board will establish a system to retain emails and make them available for public inspection.
- All current Board members will participate in Open Meeting Law training within 90 days of accepting the consent agreement.

- Within 90 days of the Open Meeting Law training, the Board will develop an email communication policy that complies with Open Meeting Law.
- Until the Board receives Open Meeting training and an email policy is established, all current Board members will sign a written statement that they will not use email or direct staff to use email to communicate with other Board members for any reason.

The investigation was prompted by a complaint filed last year by the Citizens for Better Payson Government.

Under Arizona's Open Meeting Law, "All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings." A meeting is defined as a "gathering in person or through technological devices" of a quorum of members.

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